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TO: Examiner BRIAN A. WHITEMAN	(703) 308-0196 872-9306	UNITED STATES PATENT AND TRADEMARK OFFICE	(703) 305-0775

Name:	Sender's Direct Dial:	Sender's Direct Email:
FROM: Mara K. Featherstone	(801) 578-6992	mkfeatherstone@stoel.com

Client: 51271/33	Matter:
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## COMMENTS:

Please find attached a Response prepared in the below-identified patent application along with necessary transmittal documents.

## In re application of:

Allen

Serial No.: 10/056,788

Filed: January 23, 2002

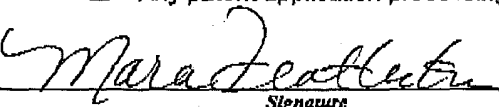
Title: MUSCLE DIRECTED GENE TRANSFER BY USE OF RECOMBINANT  
AAV-1 AND AAV-6 VIRIONS

Examiner: Brian A. Whiteman

Group Art Unit: 1635

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 51271/33
Applicant(s): Allen			
Serial No. 10/056,788	Filing Date January 23, 2002	Examiner Brian A. Whiteman	Group Art Unit 1635
Invention: <b>MUSCLE DIRECTED GENE TRANSFER BY USE OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS</b>			
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SEP 29 2003			
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is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u> )			
on <u>Sept. 29, 2003</u> <small>(Date)</small>			
<u>Mara K. Featherstone</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>			
<u>Mara Featherstone</u> <small>(Signature)</small>			
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P18/REV01

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. 51271/33				
Applicant(s): Allen								
Serial No. 10/056,788	Filing Date January 23, 2002	Examiner Brian A. Whiteman		Group Art Unit 1635				
Invention: <b>MUSCLE DIRECTED GENE TRANSFER BY USE OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS</b>								
<u>TO THE COMMISSIONER FOR PATENTS:</u>								
Transmitted herewith is an amendment in the above-identified application.								
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.								
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.								
The fee has been calculated and is transmitted as shown below.								
<b>CLAIMS AS AMENDED</b>								
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE			
TOTAL CLAIMS	13 -	20 =	0 x	\$9.00	\$0.00			
INDEP. CLAIMS	2 -	3 =	0 x	\$43.00	\$0.00			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00			
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>			
 <input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-2375 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.								
 Signature			Dated: 9/29/03					
Mara K. Featherstone Registration No. 50,390 STOEL RIVES LLP 201 South Main Street, Suite 1100 Salt Lake City, Utah 84111 Telephone: (801) 578-6992 Facsimile: (801) 578-6999			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 5px;">I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</td></tr><tr><td style="padding: 5px;">Signature of Person Mailing Correspondence</td></tr><tr><td style="padding: 5px;">Typed or Printed Name of Person Mailing Correspondence</td></tr></table>			I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	Signature of Person Mailing Correspondence	Typed or Printed Name of Person Mailing Correspondence
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PATENT APPLICATION  
Docket No.: 51271/33 US  
(AV 1023 US)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Allen

Serial No.: 10/056,788

Filed: January 23, 2002

For: MUSCLE DIRECTED GENE TRANSFER BY USE  
OF RECOMBINANT AAV-1 AND AAV-6 VIRIONS

Examiner: Brian A. Whiteman

Art Unit  
1635RESPONSECommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed September 22, 2003. The Examiner advised that the status identified for claim 4 was incorrect because it was identified as original but, as listed in the listing of claims submitted on August 22, 2003, had been altered from its original form. Claim 1 was also altered from its original form on the listing of claims. Claim 1 and claim 4 are amended herein to correct typographical errors in the listing of claims submitted on August 22, 2003. Both claims are amended to their original form and are identified herein as twice amended.

The listing of the claims begins on page two of this paper.

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